

# Reframing the Debate on Migration, Development and Human Rights

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## ABSTRACT

The relationship between migration, development, and human rights is a topic of growing interest among international organisations, academics, and civil society organisations. To varying degrees, international organisations such as the World Bank and the International Organization for Migration see remittances as an essential tool in the development of migrant-sending, underdeveloped countries. They also envisage international migration management as a core element in the design and implementation of migration policies that are apparently beneficial for all parties. We argue that this perspective, which has dominated the academic and policy agendas, is essentially one-sided, de-contextualised, reductionist, and misleading. It overlooks the realm of neoliberal globalisation and unequal development in which contemporary migration is embedded. It also disregards human and labour rights as central and intrinsic elements of coherent migration and development policies, as well as the exploitation, social exclusion, human insecurity, and criminalisation suffered by international migrants. In addition, it masks most of the fundamental contributions made by migrants to the destination countries and ignores the costs of migration for the countries of origin; costs that go far beyond the overemphasised 'positive' impact of remittances. The purpose of this article is to provide some key elements for reframing the debate on migration, development, and human rights with particular emphasis on the promotion of a comprehensive, inclusive, and human-centred alternative agenda. Copyright © 2013 John Wiley & Sons, Ltd.

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## INTRODUCTION

The relationship between migration, development, and human rights has become a major academic and political issue encompassing the national, regional, and global contexts. So far, the discussion agenda has been dictated by the governments of the major migrant-receiving northern countries (primarily the US and the European Union) and implemented by some key international organisations such as the World Bank and the International Organization for Migration (IOM), as well as some regional organisms such as the Inter-American Development Bank, the International Centre for Migration Policy Development (ICMPD), and the Organization for Security and Cooperation in Europe. These bodies define the topics that determine the course of international and regional forums, policy design, and research financing (Geiger and Pécoud, 2010, 2013).

The governments of sending and transit countries, mostly located in the southern hemisphere as well as parts of Eastern Europe and Central Asia, tend to take a passive stance in the debate. Most merely validate the position taken by receiving countries or discursively protest the treatment received by their emigrants, in order to justify the failure of their own development policies. Some progressive governments, however, are now taking an alternative approach in order to reassess the role played by their nations in the fields of development, migration, and human rights. The South-American Conference on Migration is a good example of advancement and progress in this regard.

Academic research is also under the sway of the dominant agenda, but new voices have begun to question this perspective, highlighting the need

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to reframe the debate while introducing new theoretical and empirical tools with which to approach these complex problems and find alternative solutions. Some of these new think-tanks include the International Network on Migration and Development, the Institutet för Forskning om Migration, Etnicitet och Samhälle in Sweden, Oxford's International Migration Institute, Princeton's Center for Migration and Development, and the Scalabrini International Migration Network.

Although civil society has not remained passive, its participation in policy-making processes has so far been essentially marginal. Organisations, movements, and networks that create alternative spaces for discussion and resistance have begun to emerge. Among them is the World *Social* Forum on Migration, which brings together thousands of delegates every 2 years, including academics. The Global Forum on Migration and Development (GFMD), a governmental forum derived from the 2006 United Nations (UN) High-Level Dialogue, provides some room for participation and includes spaces where civil society representatives can discuss governmental agendas and make suggestions. Discussions between civil society and governments from both the North and South have, however, been relatively marginal during the past five GFMD meetings in Brussels, Manila, Athens, Mexico, Geneva, and Mauritius. The People's Global Action on Migration, Development and Human Rights has come into being alongside the aforementioned assemblies. It convenes civil society organisations and networks that follow an alternative agenda, seeking to change the terms of the debate and influence public policies. It is worth mentioning that civil society and migrant organisations and networks in particular have driven a wide range of local, regional, and transnational development initiatives, in addition to being key participants in regional forums across the globe and weighing in on a host of issues.

Despite all this, receiving countries still maintain a reductionist approach to migration and development, misunderstanding – beyond some limited and de-contextualised concerns – the root causes of the first and overlooking most of the contributions made by migrants to receiving societies. This discourse also masks the costs migration has for migrants themselves and for their societies of origin, despite the alleged benefits of remittances. Instead of a comprehensive approach, we have a distorted view of reality that encourages the

perception of migrants as public enemies. Furthermore, agendas that emphasise national security promote xenophobic, anti-immigration policies, particularly after 9/11, and even more harshly in the context of the current global crisis. In these circumstances, actual development in countries of origin and respect for migrants' human rights remain unfulfilled goals.

Taking all of the aforementioned discussion into account, this article has three goals: (1) to contribute to the reframing of the agenda on migration, development, and human rights; (2) to provide elements with which to strengthen the demands and projects of migrant organisations, movements, and networks; and (3) to craft a frame of reference that can lead to a new dialogue between governments in countries of origin, transit, and destination, building an alternative agenda on development, migration, and human rights.

#### THE GLOBAL ECONOMIC CONTEXT

The 1970s saw the beginning of a new world order now known as globalisation. This has entailed a profound restructuring of the world's economy under the influence of large multinational corporations, the globe's most powerful governments, and a triad of international bodies: the World Bank, the International Monetary Fund, and the World Trade Organization (Petras and Veltmeyer, 2000; Stiglitz, 2002). The process includes a number of interlocking forces that have resulted in new migration dynamics.

The expansion of the global economy involved a profound economic restructuring based on the establishment of subcontracting chains dominated by large corporations. This form of expansion sought to economically reinsert peripheral countries that are rich in natural resources and ensure an abundant and cheap workforce. New export platforms operated as enclaves. They were, in fact, production, commercial, and services zones dominated by transnational corporations and often exempted from national taxation and regulation of working and environmental conditions. These transnational plants currently employ between 55 and 66 million (Singa Boyenge, 2007; [Robinson, 2008](#)) southern workers.

International financial capital generated speculative strategies that fostered the channelling of investment funds, sovereign funds, pension funds, and social savings towards new instruments that

offered short-term high-profit margins but entailed recurrent crises and massive fraud. These speculative strategies obstructed and affected the functioning of the so-called real economy (Foster and Magdof, 2009; Bello, 2006).

One consequence of the globalising economic faces described earlier was environmental degradation. Biodiversity, natural resources, and communal and national wealth became privatised for the benefit of corporations that favoured profits while ignoring social and environmental costs. This led to increased degradation, pollution, famine, and disease, as well as contributing to climate change (Foladori and Pierri, 2005).

Advances in information technology, telecommunications, biotechnology, materials, and nanotechnology catered to the needs of corporations looking for increased profits. Scientific and technological research were restructured under mechanisms such as (offshore) outsourcing, which allowed corporations to employ southern scientists, transfer risk and responsibility, and capitalise on resultant benefits by amassing patents. This led to unprecedented mercantilism in scientific research, short-term perspectives, and a lack of social concern (Freeman, 2005b; Lester and Piore, 2004; Khadria, 2008; Lozano & Gandini, 2009; Xiang, 2007).

Cheapening labour is one of the main drivers behind the new capitalist machine. Massive labour supplies originating in Africa, Latin America, Asia, and the former Soviet Union, along with the growing participation of women through global networks of industrial and domestic labour (Salazar Parreñas, 2001; Rodríguez and Schwenken, 2013), supported this dynamic and led to a growing transnationalisation, differentiation, and precariousness of labour markets. In addition, the incorporation of China and the former Soviet bloc into the global capitalist economy more than doubled the volume of the available workforce (Freeman, 2005a). The result was the configuration of a gigantic labour reserve army and a new hierarchical set of racial and cultural divisions at the heart of the working class, which allowed corporations to benefit from cheap and flexible workforce sources, particularly from the global South (Harvey, 2007; Schierup *et al.* 2006; Foster *et al.*, 2011).

Although migration is a historical process with a certain degree of continuity, it has undergone a dramatic transformation under neoliberal globalisation.

It is now characterised by (i) a strong pressure to emigrate given the lack of job opportunities in sending areas and (ii) the growing vulnerability and extreme exploitation of migrant workers in origin, transit, and destination countries. Most new migration waves comprise south–north (82 million) and south–south (74 million) flows; there is also a significant volume of internal migrants (750 million). Overall, migration has become an essential component of the process of capitalist restructuring (UN, 2004; UN, 2006; UN, 2009; Delgado Wise and Márquez, 2007; Delgado Wise and Márquez, 2009).

In short, the process of capitalist restructuring taking place under neoliberal globalisation has very little to do with a ‘free market’ ideology; rather, it entails the growing monopolisation of global production, services, and commerce along with increasing labour exploitation and environmental degradation. Overall, it embodies a plundering, parasitic, rentier, and predatory phase of global capitalism.

At the end of the first decade of the 21st century, a severe multidimensional (financial, overproduction, environmental, and social) crisis centred in the US affected the global capitalist system on several levels (Márquez, 2009; Márquez, 2010; Munck, 2010b). The responses to this crisis have been short sighted and exclusivist: Instead of addressing root causes, limited strategies were implemented that seek to rescue financial and manufacturing corporations facing bankruptcy. In addition, labour flexibilisation and fiscal adjustment have affected the living and working conditions of most of the population. These measures are desperate attempts to prolong the privileges of ruling elites at the risk of imminent and increasingly severe crises.

The scenario proposed here calls for a thorough transformation of development strategy based on a new approach to the relationship between migration, development, and human rights. More proactive and strategic forms of participation by organised civil society are needed to drive this transformation.

#### THE DOMINANT APPROACH TO MIGRATION, DEVELOPMENT, AND HUMAN RIGHTS

The view promoted by key receiving countries and aligned with that of some international organisations posits a positive link between international migration and development in countries of origin

(World Bank, 2002; World Bank, 2005; IADB, 2000; IADB, 2006; IOM, 2008; UNDP, 2009). This vision is based on the idea that the growing flow of migrants' remittances can become an instrument, a lever, or a catalyst for development in the countries and communities of origin (Bate, 2001; Iglesias, 2001; Orozco, 2003; Chami *et al.*, 2005; Terry and Pedrodv, 2006; Ratha, 2007; Ratha *et al.*, 2010). Conceptually, this involves a one-way flow between two variables: migration (seen as an independent variable) and development (seen as a dependent variable).

This is a very limited approach. On the one hand, it ignores the context of neoliberal globalisation. On the other, it fails to consider critical aspects of the relationship between migration and development: It disregards the root causes of migration, it ignores the human rights of migrants and migrants' contribution to receiving societies, and it overlooks the risks and adversities faced by migrants in countries of transit. It also fails to address the living and working conditions of migrants in receiving countries and the high socioeconomic costs migration has on sending countries. Finally, the model fails to provide enough evidence with which to corroborate the existence of a positive, net contribution of remittances to development.

The analytical framework that supports this restrictive model compounds a mixture of neoclassical and neoliberal elements (Glick Schiller, 2009; De Haas, 2010; Kapur, 2004) that portray the free market as the culmination of capitalist modernity, an inevitable process with no alternatives. Development concerns are mostly overlooked, because it is assumed a free market economy will operate as an endless source of economic growth and social welfare. Importantly, most of these approaches have been crafted in developed, northern countries and have been assimilated without critical examination by many southern researchers who have failed to acknowledge the rich and creative legacy of development studies from Latin America and other hemispheres (Castles and Delgado Wise, 2008; Canterbury, 2010; Solimano, 2003).

The dominant discourse in the link between migration and development is based on four related practices: remittances for development, financial democratisation, changing power relations, and the formation of human capital. In the absence of effective development policies in peripheral countries, which provide the largest

source of migrants, migrants themselves are portrayed as agents and catalysts of development in their places of origin; remittances are their tools.

The vast flow of remittances across the globe (\$440.1bn in 2010, 74% flowing to the global South: World Bank, 2011) constitutes an attractive market for financial enterprises offering banking services to marginalised population groups. Remittance-based savings and credit are seen as an adequate backdrop for fostering development under microfinance schemes. Remittances provide migrants and their dependents with access to resources that can bring them out of poverty, transforming them into agents of development. In turn, remittances contribute to investments in health, food, and education, all of which benefit migrants and their families. In addition, it is suggested that governments should reform their education systems so that migrants can acquire the kind of skills that will facilitate their employment abroad.

However, despite the claims made by certain international bodies and governments, there is no empirical evidence of the alleged positive effects of migration and remittances as catalysts of development in countries of origin. Although 'successful' cases are proffered in an attempt to maintain these claims, these usually involve self-help microprojects that hardly contribute to sustainable local development initiatives, let alone national ones. In fact, the dominant discourse has been forced to take an increasingly cautious stance. Hopes that the flow of remittances would propel much desired development have now diminished, to the point that in its 2009 World Development Report, the World Bank posits, 'Not everyone chooses to migrate. Moving can be a costly, difficult, and disruptive decision [...] While the move is welfare improving for these families, the economy may end up worse off' (World Bank, 2009: 168; Canales, 2008; De Haas, 2005).

A key element of the discourse underlying the rationale of mainstream migration policies promoted by the IOM, ICMPD, Organization for Security and Cooperation in Europe, Organization of American States, and other multilateral agencies and think tanks, such as the Migration Policy Institute, is 'migration management' (Ghosh, 2000). Through the umbrella of an apparently 'neutral' notion, new narratives have been promoted under this label. The attempt is to depoliticise migration, obfuscate the existence of divergent

interests or asymmetries of power and conflicts, avoid obligations imposed by international law, and promote the idea that managing migration can be beneficial for all stakeholders: countries of destination, countries of origin, the migrants themselves, and their families. This unrealistic triple-win scenario clearly favours the interests of the migrant-receiving countries and the large multinational corporations based in such countries (Geiger and Pécoud, 2010; Geiger and Pécoud, 2012). In the rhetoric of migration management,

- neoliberal globalisation is taken for granted and not considered as part of the migration, development, and human rights 'problématique' (Boucher, 2008);
- a 'good migrant', regardless of his or her status and conditions, is respectful of the law, flexible to market needs, and eager to contribute to the development of his country of origin;
- irregular migration is regarded as a problem generated outside the migrant-receiving country, ignoring its internal motivations (corporate demand for cheap and flexible labour) and the role of the state in spawning 'illegality' through limiting channels for 'legal' entrance far beyond actual labour and demographic needs (Geiger and Pécoud, 2010);
- temporary or guest workers' programmes are one of the best tools for regulating labour markets, ignoring the fact that guest workers are held virtually captive by employers or labour brokers who seize their documents, enabling high levels of exploitation, discrimination, and social exclusion (Southern Poverty Law Center, 2007);
- return policies, either forced or voluntary, assume places of origin will benefit from the abilities, skills, and values acquired by migrants in receiving societies; and
- transit countries should prevent irregular migration flows to destination countries through the reinforcement of border control activities and counter-smuggling and trafficking efforts.

Paradoxically, this dominant approach to the link between migration, development, and human rights generates divergent views of migrants in origin and destination countries. For the former, migrants have become the new face of development; once a forgotten population, they are now portrayed as national heroes. This view has a

political, exploitative 'raison d'être': Cordial relations with the diaspora ensure the flow of remittances. Conversely, receiving governments discursively paint migrants as a burden and, at times, a negative and polluting cultural and racial influence on the receiving society (Huntington, 1997). In the interstices of this dichotomy, migrants are also one of the direst victims of the systemic violence generated by neoliberal globalisation.

The worst stigmas attached to foreigners are those of illegality and criminality. In extreme cases, migrants are linked to terrorism and drug trafficking. Furthermore, in periods of economic depression, migrants are often held responsible for the economic decline. On the one hand, a type of extractivism identifies migrants as heroes; on the other, a punitive approach paints them as criminals. These, however, are two sides of the same coin: Migrants are cheap labour merchandise, disposable population that contributes to the dynamics of accumulation. Extractivism is therefore also present in the stance taken by receiving nations: The more vulnerable migrants are, the more their employers benefit; their social exclusion leads to increased profits and fiscal gains for both employers and host governments. Both of these portrayals demean migrants with a specific political intent. They also nullify them as social, rights-bearing subjects. The migration management discourse also plays an important role in this regard. 'Many measures to stop unauthorized migration or to prevent refugees to claim asylum are, for example, presented as "necessary" to fight human smuggling and trafficking [...] This victimhood approach seems to have replaced any kind of binding commitments to safeguard migrant's rights' (Geiger and Pécoud, 2010: 13).

#### AN ALTERNATIVE APPROACH TO MIGRATION, DEVELOPMENT, AND HUMAN RIGHTS

Given this dominant view, it is necessary to craft an alternative that focuses on and attempts to explain the problems underlying unequal development. From this viewpoint, neither migration nor development should be approached as independent variables; they are, after all, inscribed within the broader historical context of neoliberal globalisation. At the same time, the relationship between migration and development must be

approached from a multidimensional perspective that comprises economic, political, social, environmental, cultural, racial, ethnic, gender, geographical, and demographic factors (Glick Schiller, 2009; Faist 2009; Castles and Delgado Wise, 2008; Portes, 2009; Delgado Wise and Márquez, 2009).

### Unequal Development

The architecture of neoliberal globalisation is based on the implementation of structural adjustment programmes in southern nations. These programmes are centred on the precepts of privatisation, deregulation, and liberalisation and have been a tool with which to insert less developed economies into the dynamics of globalisation. As a result, production systems have been dismantled, facilitating the influx of foreign capital and generating a massive oversupply of labour (Delgado Wise and Márquez, 2007). Generally speaking, these processes have resulted in the entrenchment of two particularly relevant phenomena:

- Deepening asymmetries within countries and between countries and regions. From a geostrategic standpoint, we can observe a deepening differentiation between developed and peripheral countries, their national territories and regional areas; this leads to increasing social and economic (financial, technological, and productive) gaps that reflect a complex system of asymmetric relations between regions, countries, and localities.
- Increase in social inequalities. Social inequality is one of the most distressing aspects of our times. It is expressed in the unprecedented concentration of capital, power, and wealth in a few hands while a growing segment of the population suffers poverty, exploitation, and exclusion. Increasing disparities are also expressed in (a) growing racial, ethnic, and gender discrimination; (b) reduced access to production and employment; (c) a sharp decline in living and working conditions; and (d) the progressive dismantling and segmentation of social security systems.

The concept of unequal development encapsulates this dominant trend and refers to the historical, economic, social, and political processes of

polarisation (among regions, countries, and social classes) derived from the dynamics of capital accumulation, the international division of labour, the new geopolitical atlas, and class conflict across space and hierarchies. A key underlying aspect is the emergence of a new international division of labour where the exploitation of the workforce has become a central factor. This is, in turn, related to the emergence of new forms of unequal exchange (Delgado Wise and Márquez, 2012).

### Forced Migration

Unequal development in the neoliberal context generates a new type of migration that can be characterised as forced – although the concept of forced migration does not apply to all migrants, it does characterise, to a great extent, current migration flows. In the field of human rights, the term refers specifically to asylum seekers, refugees, or displaced persons. From a dominant perspective, most migrants cannot be grouped under this category because these population movements are supposedly carried out voluntarily and freely. However, it is also a fact that the dynamics of unequal development have led to structural conditions that foster the massive migration of dispossessed, marginalised, and excluded populations. People are literally expelled from their places of origin as they search for better livelihoods and social mobility opportunities. Migration entails substantial risks and danger, as well as permanent exposure to precariousness and exclusion in destination countries. Moreover and as previously pointed out, migrants are often subjected to criminalisation and racist and discriminatory practices and policies that not only render them vulnerable and marginal but can also imperil their lives (Delgado Wise and Márquez, 2009).

The aforementioned factors outline the reasons why the concept of forced migration should be used to characterise the majority of contemporary population movements (Delgado Wise and Márquez, 2009; Castles, 2003; Gzesh, 2008), including at least the following three categories:

- (i) Migration due to violence, conflict, and catastrophe

Social, political, and community conflicts, natural disasters, major infrastructure developments, and urbanisation can severely affect communities,

social groups, families, and individuals, to the point of forcing them to abandon their place of origin and sometimes their country. This category includes refugees, asylum seekers, and internally displaced persons. These modalities, which tend to affect populations in developing nations, have been acknowledged in international law, and there are protection instruments in place. The number of refugees and asylum seekers is currently estimated at 15 million (UN, 2009).

Climate change and environmental degradation are a source of forced migration that falls outside asylum and refugee-seeking categories (Castles, 2002). Its adequate understanding requires an analytical approach that, on the one hand, avoids numerical speculation (Myers and Kent, 1995; Shuaizhang *et al.*, 2010; Lonergan and Swain, 1999; Black, 2001) and, on the other, does not trivialise the negative impact of environmental changes. In this sense, it is important to focus on the impact of unequal development and, consequently, on the adaptive capabilities of the poorest populations, who are the most vulnerable to environmental and anthropogenic contingencies (McAdam, 2010).

#### (ii) Human trafficking and smuggling

This has increased at an alarming rate in recent years, becoming a highly lucrative business as a result of the restrictive policies of receiving countries and increasing hardship in less developed ones. Human trafficking is associated with coercion, abduction, and fraud and includes sexual exploitation and illicit adoptions among other serious violations of human rights. The global response to the sustained increase in this form of criminal activity includes the United Nations' 'Convention against Transnational Organized Crime' and the subsequent 'Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children'. It is estimated that at least 2.45 million people are currently engaged in forced labour as a consequence of internal and international human trafficking (IOM, 2008).

#### (iii) Migration due to dispossession, exclusion, and unemployment

Globalisation has led to structural changes that disarticulate and dismantle the production, financial, commercial, and services systems, forcing large

sectors of the population to emigrate in search of better livelihoods, both for themselves and for their families. Most current labour migration falls under this category, which is characterised by extreme vulnerability and exploitation. According to the International Labour Organization, there are some 100 million international labour migrants across the world (Awad, 2009). Although this type of migration is addressed by certain protection instruments (e.g. the 1990 'International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families'), these lack effective implementation. Instead of adequately categorising the problems and risks to which these migrants are exposed, the category is generally subsumed by that of 'economic migrants', which assumes they travel in a context of freedom and social mobility.

In a less strict sense, migration due to overqualification and lack of opportunities can be considered as a fourth type of forced migration. It ensues from imbalances in the labour market and limited institutional support, which results in many highly qualified workers being unable to find fitting occupational opportunities in their own country. Although these workers do not migrate in order to cover their basic needs and although they do not face serious problems when moving, they migrate in order to fulfil their labour and intellectual capacities, even if they are often subjected to labour degradation and wage discrimination in destination countries. Nevertheless, in the dominant discourse of 'migration management', talented people are envisaged as a useful flow whose freedom of movement through market-oriented policies should be encouraged.

In its diverse manifestations, forced migration constitutes a source of cheap labour and, subsequently, plays a key role in current dynamics of unequal development and the new global architecture. In the context of the current global crisis, migrants have been turned into scapegoats, leading to even more severe repressive anti-immigrant legislation and policies (Massey & Sánchez, 2010). A significant number of jobs have been lost while the conditions of remaining jobs deteriorate and deportations increase. Migrants' living standards have worsened, but contrary to expectations, there have been neither massive return flows nor a collapse in remittances, although there is evidence that migrant worker flows have indeed diminished.

## Human Rights

While the UN's 'Universal Declaration on Human Rights' stipulates member states' commitment to upholding the fundamental rights of humankind, these are currently undermined by the economic and political dynamics of neoliberal globalisation. The discourse of neoliberal globalisation rests on the ideology of the free market, the end of history, representative democracy, and more recently, the war on terrorism. In practice, however, it promotes the interests of large corporations and a single, exclusive mode of thought, nullifying all alternatives. Although the prevalent discourse exalts the notion of citizenship and citizen rights and opportunities in a democracy with an open economy and full political participation, the latter is constrained to a limited electoral offer and often curtailed by an exclusionary political system. At the same time, fundamental human rights are systematically undermined and subverted by the doctrine of national security and the demands of a market economy at the service of multinational corporate interests, which turns the vast majority of the population into cheap means of production and objects of consumption. In addition, the so-called welfare state has been dismantled under the sway of mercantilism, and the satisfaction of most basic needs is conditioned by the market, where communal goods and public services are offered as new spaces for privatisation. Labour flexibility, sustained by a massive workforce surplus and the systematic deprivation of labour rights, becomes a mechanism through which to increase competitiveness and extraordinary profits. All of this, in turn, seriously undermines the social, economic, political, and environmental fabric, leading to considerable damage. The advancement of structural reform in peripheral countries has led to increasing social debt, a fact that remains unacknowledged by governments and the entrenched powers.

Forced migration is a logical consequence: Human rights violations multiply along migration paths, and the victims include women, children, and entire families. The human drama underlying current dynamics threatens the integrity and the lives of migrants, exposing them to robbery, rape, extortion, kidnapping, detention, deportation, murder, labour and sexual exploitation, insecurity, and social exclusion. Despite the seriousness of the situation, migrants' human rights still occupy a marginal place.

Receiving, transit, and sending countries should all be held accountable. In most receiving countries, there is a tacit disavowal of labour and human rights where migrants and their families are concerned. The right to legal residence and citizenship is also obstructed, under the stigma of illegality, either for reasons connected to racial prejudice or, more commonly, for reasons associated with economic interest. A double discourse prevails in both countries of origin and transit: Sending nations denounce violations of migrant rights in countries of destination while violating the rights of foreigners in their national territory. At the same time, the fact that many migrants were literally forced to leave because of a lack of development policies and decent employment opportunities at home is routinely ignored.

It is important to note that, in the realm of forced migration, women are a particularly vulnerable group, especially when they are forced to cross borders using irregular means. Even though the scope of female migration and its members' vulnerability have received increasing attention, we still lack adequate gender-based approaches to migration policy (Jolly, 2005).

In sum, it is of paramount importance that human rights become an integral component of the relationship between migration and development (Gzesh, 2008; Castles, 2003; Sassen, 2008). Otherwise, the root causes of forced migration will remain in place.

From the standpoint of the relationship between development, migration, and human rights, the following minimal set of rights should be considered:

### (i) The right to development

This includes the well-being and basic needs of all people; access to secure, decent, and fairly paid jobs (as outlined in the decent work agenda proposed by the International Labour Organization); individual opportunities to develop critical, creative, and artistic capacities, and the creation of spaces that allow genuine participation in decision-making processes.

### (ii) The right to not migrate

This entails the creation of the basic conditions needed to keep people in their countries of origin, in those places where they want to stay.



It includes fostering an environment of overall human development and public welfare while reversing the structural and political factors that potentiate forced migration.

(iii) The right to freedom of movement

Mobility should not be a necessity but a voluntary decision under a regime that allows freedom of human movement.

(iv) The basic rights of migrants and their families

The human rights of migrants in sending, transit, receiving, and return communities must be upheld by all governments and international bodies. These include the right to permanence, which should extend to second generations.

With this in mind, the concept of forced migration should be rethought and expanded in order to counteract migration policies that, by appealing to sovereignty and national security, criminalise migrants and violate their rights. Many current guest-worker programmes exemplify apparently humane setups that, in reality, mask the continued exploitation of migrants and the violation of their human rights. Associated key topics include irregular migration; human trafficking and smuggling; discrimination; the safety of human rights defenders; labour standards and a decent labour agenda; and international instruments that ensure the protection of human and working rights, and their progressivity and non-regressive implementation as part of any state's duty.

From a comprehensive viewpoint and with the intention of finding alternative development options centred on human rights, it is imperative that we restore international law and affirm states' obligation to follow it. This is a crucial step towards the dismantling of labour flexibilisation and precarisation processes via the vindication of working rights, including access to fair employment, the restitution of social security systems, and the promotion of human development in both sending and receiving nations (Wihtol de Wenden, 2000; Gzesh, 2008; Castles, 2003; Munck, 2010a).

### **The Dialectics of Unequal Development, Forced Migration, and Human Rights**

The following four postulates illustrate the dynamics of neoliberal globalisation in relation

to migration, human rights, and development (Delgado Wise and Márquez, 2009):

(i) Unequal development generates forced migration

Corporations deploy a restructuring strategy that, on the one hand, internationalises processes of production, commercialisation, and finance and, on the other, appropriates the natural resources, economic surplus, and cheap labour of developing countries. Conditions of underdevelopment are exacerbated by the implementation of the structural adjustment policies prescribed by international bodies, and this entails the dismantling of the economic apparatus; major cuts in the expenditure of the public sector, the introduction of speculative capital; the creation of new enclaves at the service of large multinationals; the privatisation of natural resources; the flexibilisation and precarisation of formal employment; increased unemployment; and growing labour informality, all of which trigger forced migration. This, in turn, has led to significant population losses in countries of origin, often resulting in the transference of the demographic dividend, that is, the working age population that acts as support for economic dependents, mainly children and senior citizens.

(ii) Immigrants contribute to development in receiving countries in a context of increasing labour precariousness and social exclusion

Developed nations demand vast amounts of cheap, qualified, and unqualified labour, including undocumented workers. This places migrants under conditions of increased vulnerability and high exploitation (Gabriel, 2013). Less qualified migrants (the vast majority) contribute to diminishing labour costs across the board because they work in sectors essential to the reproduction of the labour of the receiving population, such as through the contribution of migrant women to freeing receiving-country women from domestic labour or the participation of migrant workers in activities related to the set of basic consumer products and services. And despite being considered an elite labour segment, qualified migrant workers also constitute a relatively cheap source of labour: They often earn less than their equally qualified native peers. In both cases, the receiving country not only fulfils its labour needs but also

benefits greatly from the fact that it did not invest in the formation and reproduction costs of these workers. Domestic and health workers are good examples (Gabriel, 2013). In sum, migration constitutes a double transference from the sending to the receiving country: cheap workforce along with its formation and social reproduction costs.

(iii) Emigrants contribute to their home country's precarious socioeconomic stability

A fraction of migrants' salaries is destined for remittances, which ensure the subsistence of family members in places of origin. To a lesser extent, remittances are used to finance small businesses in a subsistence economy. Migrant organisations use collective remittances to finance public works and social projects in places of origin. The larger portion of remittances, however, is used for family consumption and has a limited multiplier effect, which means that these resources can hardly promote development processes. Furthermore, remittances create an incentive for imports and modify consumption patterns. From a macroeconomic point of view, remittances benefit neoliberal governments that, unwilling to generate development alternatives, use them as a source of foreign currency that contributes to the nation's frail 'macroeconomic stability'. This situation has led to some countries using remittances as equity to warrant foreign debt. Given the absence of a real development strategy, migrants are now lauded as the 'heroes of development' and made responsible for a task that should belong to the government but, under the neoconservative precept of a minimal state, remains unfulfilled.

(iv) The promotion of alternative development as social transformation can prevent forced migration

Ideologically speaking, neoliberal globalisation posits itself as inevitable. It is therefore crucial that we endorse the feasibility of alternative development strategies. Rejecting the asymmetrical relationships between sending and receiving countries is of paramount importance. This will allow us to identify and counter practices that have plunged vast regions of the world into quagmires of inequality, marginalisation, poverty, social exclusion, and forced migration. A project of genuine transformation must focus on the root causes of forced migration and fight them by creating decent, secure, and

well-paid employment opportunities. This will make migration an option rather than a necessity.

## TOWARDS AN INCLUSIVE AGENDA

The concept of human development coined by Sen (2000) and adopted by the UN (UNDP, 2009) represents a positive step in the furthering of the development debate; it cannot, however, adequately address the complex dynamics of unequal development, forced migration, and human rights infringements under globalisation. There is a need for further contextualisation; a clear identification of the competing social projects; the creation of viable pathways that lead to the political and institutional strengthening of social organisations, movements, and networks; and the definition of alternative and transformative agendas. This underlines the need to rethink human development not in terms of individual freedom and free markets but around the concept of equality (ECLAC, 2010). At the same time and in contraposition to the regressive model employed by globalisation, which deepens underdevelopment and dependence, we must rethink development from a post-neoliberal perspective.

To advance in this direction, we propose three basic principles through which to reframe the debate on development, human rights, and migration:

### (i) Comprehensiveness

This entails approaching forced migration as an inherent component of globalisation and its dynamics of unequal development. The following are some of the most relevant issues to be addressed by this comprehensive perspective: the asymmetrical relationship between sending and receiving countries; the social, economic, political, environmental, and cultural factors that inhibit development and cause forced migration; the risks and dangers faced by migrants during their travels; the migrants' role in receiving economies; the constant violation of the migrants' human and labour rights; and the cost paid by countries and local governments with high emigration. Additionally, a comprehensive perspective demands careful consideration of alternative policies to promote development and the agents responsible for steering them.

## (ii) Inclusion

The construction of an alternative agenda on development, human rights, and migration demands the participation of the various affected actors and agents while keeping in mind the diverse and distinct perspectives of sending, transit, and destination countries, along with their differing interests. Constructing an agenda along these lines requires the implementation of some postulates underlying substantive democracy: an open and free debate about ideas, access to information and its dissemination, social organisation, and the existence of spaces in which to express alternative views, among others. In this context, efforts and initiatives deployed on all levels of government must be considered.

## (iii) Humanism

Unequal development is characterised by increasingly dehumanising social relations, which degrade people and threaten the pillars of civilisation. Migrants are often treated as degradable, segregated, and disposable human resources, even criminals. An alternative agenda requires a reassessment of the value of labour and its transformative capacity, which is at the core of the generation of wealth. We must ensure decent, secure, and well remunerated employment under conditions of gender and ethnic equality (Piper, 2006; Portes and Rumbaut, 2006). The new agenda must retrieve the humanistic thrust of social development and not only guarantee the fundamental human rights of migrants and their families but also seek to eliminate all forms of exploitation while enabling the full realisation of human individual and collective freedom, regardless of race, gender, or social condition.

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